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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/750,739	12/30/2003	Takashi Aoki	14225.9US01 1838		
23552	7590 09/28/2005		EXAMINER		
MERCHANT & GOULD PC P.O. BOX 2903			DUNN, DAVID R		
	LIS, MN 55402-0903		ART UNIT	PAPER NUMBER	
	,		3616		
			DATE MAILED: 00/20/2004	DATE MAILED: 00/28/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner		Application No.	Applicant(s)				
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Set 19 Septiment of the septiment of		10/750,739	AOKI ET AL.				
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1) Responsive to communication(s) filed on	 WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any 						
2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1 and 2 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 30 December 2003 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/S506) 5) Notice of Informal Patent Application (PTO-152)	Status						
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DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statements filed December 30, 2003 and June 9, 2005 are acknowledged. See enclosed IDS forms.

Claim Rejections - 35 USC § 112

- 3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

 The specification shall conclude with one or more claims particularly pointing out and distinctly claim.
 - The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 4. Claims 1 and 2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is indefinite as it recites that the cells "are inclined with respect to extension directions of the pillars", however it is not clear what are the "extension directions of the pillars." It appears that the pillars extend in various different directions (see pillars 14, 15, and 16 in Figure 1). Therefore, it is clear what the reference to inclination of the cells being claimed is.

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Claim Rejections - 35 USC § 102

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5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 2002-019567 (cited in IDS).

JP 2002-019567 discloses a curtain airbag having gas distribution paths (from 11a and 12a; see Figure 1) with a plurality of cells which are inclined (see Figure 1).

7. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 2002-240674 (cited in IDS).

JP 2002-240674 discloses a curtain airbag having gas distribution paths (see Figures 5 and 6) with a plurality of cells which are inclined (see Figures 5 and 6).

8. Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Hall et al. (6,945,588).

Hall discloses a curtain airbag having gas distribution paths (see Figure 1; left and right top sides of airbag) with a plurality of cells which are inclined (see cells 52; Figure 3).

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Conclusion

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9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nanbu shows inclined cells. Green et al. shows inclined cells. Fischer shows an airbag of interest. Takahara shows an airbag with plural distribution paths.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Dunn whose telephone number is 571-272-6670. The examiner can normally be reached on Mon-Fri, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David Dunn
Primary Examiner
Art Unit 3616